

**REMARKS**

Claims 1, 2, 5-9, 12-17, 19 and 20 are all the claims pending in the application. All claims presently stand rejected.

Applicant thanks the Examiner for withdrawing the finality of the previous Office Action.

**Claim Rejection Under 35 U.S.C. § 103**

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tokuichi et al. (JP 2001-076677) in view of Tsuda et al. (US 2002/0130601) and Gaugel et al. (US 4,794,297).

**Independent claims 1, 8, and 16**

Applicant has amended independent claims 1, 8, and 16 to recite that the sealed end portions are light blocking sealed end portions, wherein an enclosed space is formed within the ceramic light emitting tube and the sealed end portions.

Applicant respectfully requests the Examiner to withdraw the rejection of independent claims 1, 8, and 16 at least because there is no combination of Tokuichi, Tsuda, and Gaugel that would meet the claimed discharge bulb *including light blocking sealed end portions*, wherein an enclosed space is formed within the ceramic light emitting tube and the sealed end portions, and the first light blocking portion has a width, in an axial direction of the light emitting tube, at least corresponding to a width, in the axial direction, of the rear sealed end portion of said light emitting tube, the width of the first light blocking portion being no more than a distance between a distal end of the rear sealed end portion and a tip end of an adjacent one of said electrodes.

The Examiner asserts that the portion 10 of Tokuichi's light blocking seal 10 corresponds to a "light blocking film" portion having a width with the recited features. Thus, it seems to be the Examiner's position that Gaugel is only relied on as teaching that Tokuichi's light blocking seal 10 can be modified so that it is provided as a portion of said ceramic light emitting tube or being provided radially outside of said ceramic light emitting tube.<sup>1</sup>

However, Applicant sees no reason of record why one of ordinary skill would have provided a strip shaped light blocking portion at a portion of said ceramic light emitting tube that corresponds to a light blocking sealed end portions. In fact, without hindsight knowledge of the present application, there is no reason to provide an additional light blocking portion (i.e., light blocking strip) at a position of a first light blocking portion (i.e., light blocking sealed end portion).<sup>2</sup>

As discussed in previous amendments, the discharge bulb of claim 1 addresses a problem in prior art discharge bulbs in which a light blocking seal, like that of Tokuichi, is provided radially inside a *ceramic* light emitting tube. Specifically, the light blocking seal causes a small amount of light to be guided to the longitudinal ends of the ceramic emitting tube due to the light guiding function of the ceramic tube.<sup>3</sup> This small amount of light will form an extraneous dull

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<sup>1</sup> See Office Action dated January 25, 2008 at page 6. The Examiner has asserted that one cannot attack obviousness by attacking references individually.

<sup>2</sup> See *KSR v. Teleflex*, 82 USPQ2d 1385, 1396, 127 S.Ct. 1727, 167 L.Ed.2d 705 (U.S. 2007), quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329 (CA Fed. 2006) ("[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness").

<sup>3</sup> See Original Specification at the first full paragraph of page 5.

glowing light, for example Pb2 shown in FIG. 18.<sup>4</sup> In contrast, if an additional strip of a light blocking portion is provided *as a portion of* the ceramic light emitting tube or provided *radially outside of* the ceramic light emitting tube, then this dull glowing light can be prevented.

Thus, Applicant respectfully requests the Examiner to withdraw the rejection of independent claims 1, 8, and 16.

Dependent claims 2-4, 9-15, and 17-20

Applicant respectfully requests the Examiner to withdraw the rejection of dependent claims 2-4, 9-15, and 17-20 at least because of their dependency from claim 1, claim 6, or claim 16.

Information Disclosure Statement

An Information Disclosure Statement is concurrently filed listing all references cited in German Patent Office Action dated February 21, 2008, that are not already of record. A copy of the German Office Action, and English translation thereof, are also submitted.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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<sup>4</sup> See Original Specification at Fig. 18 & second full paragraph of page 3.

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 10/750,858

Attorney Docket No.: Q79273

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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